

REPORT 15
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HB 271

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Statement on HB384 before MT Senate Judiciary Committee session, 3/16/2011;
by Robert McKelvey, representing Montanans Against Gun Violence (MT-AGV)

We strongly oppose this bill. It would legitimize concealed carry of weapons, validated through a permit, in three particularly inappropriate types of mainly urban indoor settings—places where concealed gun-carry currently is illegal (MCA 45-8-328). These permits may be issued by the State of Montana, or by any of the forty-odd other states to which Montana has granted CCP reciprocity rights.

Since no permit currently is required for concealed carry outside the boundaries of Montana's incorporated towns and cities (and Montana citizens can carry hidden weapons that are not officially "concealed"), **it is likely that the make-up of the expanded pool of CCP holders will more closely reflect the characteristics of broad urban America than those of our relatively rural Montana.**

This class of visitor CCP holders is suspect, first because many of the issuing states have weaker CCP criteria than Montana (which has access to local background information, through the County Sheriff).

Second, NICS, the national background-checking data-base system, is dysfunctional. Many relevant records are missing from their files. **Because of this, far too many dangerous individuals—felons, the mentally ill, drug abusers, perpetrators of domestic violence—succeed nationally in getting permits.**

To recognize how severe a problem this could be for Montana, just look at the national record. The perpetrator of the April 2007 Virginia Tech massacre as well as the perpetrator of the recent Tucson attack on Congresswoman Giffords had records of mental instability and/or drug addiction. Had these records been forwarded to NICS, both would have been denied their quick and easy access to the weapons they used in their rampages. **In the four years between these shootings, there were nearly 200 homicide events in 29 states—including 19 multi-victim incidents—by individual killers carrying concealed weapons obtained through entirely legal processes.** (References available on request)

Until the currently contemplated record-keeping reforms in NICS are accomplished, we urge that Montana hold back on encouraging expanded CC in our urban area.

In a longer-term perspective, we note that HB 384 extends a pattern, by the Montana Legislature, of preempting local control of local issues. Here, it is the current right of incorporated communities to regulate concealed carry of weapons within their boundaries. Just as a "one size fits all" principle is not always appropriate for the states in our nation, so it is not always appropriate for local communities in our state.

In particular, one size fits all is inappropriate for public safety regulation and enforcement. These functions should remain in the hands of local governments and local enforcement agencies!

MT-AGV Steering Committee: Ron Erickson, Dick Barrett, Jon Ellingson, Betsy Mulligan-Dague, Richard Chapman, Mike Chessin, Nancy and Todd Cochran, Marcia Bishop, Jon Salmonson, Diane Benjamin.